

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 10008 OF 2022
IN
WRIT PETITION NO. 3156 OF 2022**

Tushar Laxmichand Gogri	}	Applicant
In the matter between		
Pramod Lunawat	}	Petitioner
Versus		
The Navi Mumbai Municipal Corporation	}	
	}	Respondent

**WITH
WRIT PETITION NO. 10550 OF 2022**

Shri. Allen Vijayan	}	Petitioner
Versus		
The Navi Mumbai Municipal Corporation	}	
	}	Respondent

Mohammed Zain Khan i/b. One Legal for applicant.
Mr. Arya Sapre i/b. Mr. Harshad Bhadbhade for the petitioner in WP/3156/2022.
Mr. Saurabh Butala i/b. Mr. Amol Ghadge for the petitioner in WP/10550/2022.
Mr. Sandesh Deshpande for respondent-NMMC.

**CORAM: DIPANKAR DATTA, CJ. &
MADHAV J. JAMDAR, J.**

DATE: SEPTEMBER 14, 2022

P.C.:

Interim Application No. 10008 of 2022:

1. This interim application is an application for intervention filed in Writ Petition No. 3156 of 2022. The applicant claims to

be the successful bidder in the tender floated by Navi Mumbai Municipal Corporation (NMMC). However, because of a subsisting interim order, the NMMC is disabled from issuing the work order to the applicant. This being the undisputed fact, we allow the prayer for intervention.

2. The application stands allowed. No costs.

3. The applicant shall be impleaded as a respondent in the writ petition. Cause title of the writ petition shall be amended by the learned advocate for the petitioner forthwith.

Writ Petition No. 3156 of 2022:

1. The petitioner participated in the tender process; however, it was found ineligible because of lack of requisite experience.

2. Affidavit in reply has been filed by the NMMC. At paragraph 5, an averment as regards ineligibility of the petitioner is found.

3. Since the affidavit in reply has been made over to the petitioner in Court today, we grant him time till Friday next (16th September 2022) to file rejoinder affidavit.

4. The writ petition shall be listed fairly high on board on **19th September 2022**. In the meanwhile, interim relief to continue.

Writ Petition No. 10550 of 2022:

1. This writ petition was tagged with Writ Petition No. 3156 of 2022 by an order of the Registrar (Judicial) dated 5th September 2022.

2. Copy of the writ petition is yet to be served on the

NMMC; hence, we direct its de-tagging. It shall be heard separately.

3. Let copy of the writ petition be served on Mr. Deshpande, learned advocate for the NMMC in course of this day. Reply affidavit may be filed by 7 (seven) days; rejoinder thereto, if any, may be filed by 3 (three) days thereafter.

4. List the writ petition on **28th September 2022**.

SALUNKE
J V

Digitally signed
by SALUNKE J V
Date: 2022.09.15
17:52:44 +0530

(MADHAV J. JAMDAR, J.)

(CHIEF JUSTICE)